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Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

PHILLIP PAPATHEODOROU,

Debtor.

Case No. 13-13397 (CMG)

Honorable Christine M. Gravelle

Chapter 7

**CHAPTER 7 TRUSTEE'S MOTION SEEKING ENTRY OF AN ORDER
APPROVING THE SALE OF THE ESTATE'S INTEREST IN CERTAIN
REAL PROPERTY AT 206 WEST 10TH STREET, SHIP BOTTOM, NEW
JERSEY 08008, TO ATLANTIC DEVELOPMENT & CONSTRUCTION
MANAGEMENT, INC., FREE AND CLEAR OF ALL LIENS, CLAIMS,
INTERESTS, AND ENCUMBRANCES, PURSUANT TO 11 U.S.C. §§
105(A), 323(A) AND 363(B), (F) AND (M), AND 541; WAIVING THE TEN
DAY STAY PROVIDED BY F.R.B.P. 6004; AND GRANTING RELATED
RELIEF**

PLEASE TAKE NOTICE that on **Tuesday February 18, 2014 at 10:00 a.m.**, or as soon thereafter as counsel may be heard, McDonnell Crowley, LLC, counsel for John M. McDonnell, Chapter 7 Trustee (the "Trustee") for the estate of Phillip Papatheodorou, the Chapter 7 Debtor (the "Debtor"), shall move before the Honorable Christine M. Gravelle, United States Bankruptcy Judge, at the United States Bankruptcy Court, U.S. Courthouse, 402 East State Street, Trenton, New Jersey, for entry of an order (i) authorizing the sale of the estate's interest in certain real property located at 206 West 10th Street, Ship Bottom, New Jersey 08008 (the

“Property”) to Atlantic Development & Construction Management, Inc., free and clear of all liens, claims, interests, and encumbrances, of the estate’s interest in the Property, (ii) granting related relief all pursuant to sections 105(a), 323(a), 363(b), (f) and (m), and 541(a) of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”), and Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure, and (iii) granting related relief (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Trustee’s motion, the undersigned shall rely upon the Application in support of the Motion and the proposed form of Order filed herewith. The nature of the relief requested does not require that briefs be submitted as required pursuant to D.N.J. LBR 9013-2.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy Court electronically by attorneys who regularly practice before the Bankruptcy Court in accordance with the General Order Regarding Electronic Means for Filing, Signing, and Verification of Documents dated March 27, 2002 (the “General Order”) and the Commentary Supplementing Administrative Procedures dated as of March 2004 (the “Supplemental Commentary”) (the General Order, the Supplemental Commentary, and the User’s Manual for the Electronic Case Filing System can be found at www.njb.uscourts.gov, the official website for the Bankruptcy Court) and, by all other parties-in-interest, on CD-ROM in Portable Document Format (PDF), and shall be served in accordance with the General Order, the Supplemental Commentary, and D.N.J. LBR 9013-1, as amended December 1, 2009, so as to be received no later than seven (7) days before the return date of the Motion.

PLEASE TAKE FURTHER NOTICE that unless an objection is timely filed and served, the Motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a) and the relief may be granted without a hearing.

McDonnell Crowley, LLC
Counsel for John M. McDonnell,
Chapter 7 Trustee

By: /s/ Brian T. Crowley
BRIAN T. CROWLEY

Dated: January 23, 2014